

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claims 10-27. (Cancelled)

28. (Currently Amended) A method of delivering an aerosol to the lungs of a mammal comprising the steps of:

(a) providing an aerosol composition, wherein said [administering a nanoparticulate aerosol] composition [comprising] comprises aqueous [liquid] droplets having a particle size of less than about fifty microns in diameter, wherein the aqueous [liquid] droplets comprise:

(i)[a]) [a liquid] water,

(ii)[b]) crystalline particles of a therapeutic agent which is poorly soluble in water [said liquid], wherein the crystalline particles have [an average] a submicron particle size [of less than about 1000 nm]; and

(iii)[c]) at least one surface modifier adsorbed on the surface of the crystalline therapeutic agent particles; and

(b) administering said aerosol composition to the respiratory system of said mammal.

29. (Previously Presented) The method of claim 28, wherein the crystalline particles of a poorly soluble therapeutic agent have an average particle size of less than about 400 nm.

30. (Previously Presented) The method of claim 29, wherein the crystalline particles of a poorly soluble therapeutic agent have an average particle size of less than about 300 nm.

31. (Previously Presented) The method of claim 30, wherein the crystalline particles of a poorly soluble therapeutic agent have an average particles size of less than about 100 nm.

32. (Previously Presented) The method of claim 28, wherein the surface modifier is selected from the group consisting of gelatin, casein, gum acacia, cholesterol, tragacanth, stearic acid, benzalkonium chloride, calcium stearate, glycerol monostearate, cetostearyl alcohol, cetomacrogol emulsifying wax, sorbitan esters, polyoxyethylene alkyl ethers, polyoxyethylene castor oil derivatives, polyethylene glycols, polyoxyethylene stearates, colloidal silicon dioxide, phosphates, sodium dodecylsulfate, carboxymethylcellulose calcium, carboxymethylcellulose sodium, methylcellulose, hydroxyethylcellulose, hydroxypropylcellulose, hydroxypropylmethylcellulose phthalate, noncrystalline cellulose, magnesium aluminum silicate, triethanolamine, polyvinyl alcohol, polyvinylpyrrolidone, tyloxapol, a polymer, a polyoxamine, dextran, lecithin, a dialkylester of sodium sulfosuccinic acid, sodium lauryl sulfate, an alkyl aryl polyether sulfonate, a polyoxyethylene sorbitan fatty acid ester, a mixture of sucrose stearate and sucrose distearate,  $C_{18}H_{37}CH_2(CON_9CH_3)CH_2(CHOH)_4(CH_2H)_2$ , a sulfated block copolymer of ethylene oxide and propylene oxide, and a triblock copolymer of the structure - (PEO) (PBO) (PEO) - having a molecular weight of about 3800 to about 5000.

33. (Previously Presented) The method of claim 28 comprising at least two surface modifiers.

34. (Previously Presented) The method of claim 28, wherein the surface modifier is present at an amount of from about 0.1% to about 90% (w/w), based upon the total weight of the combined therapeutic agent and surface modifier.

35. (Previously Presented) The method of claim 34, wherein the surface modifier is present at an amount of from about 1% to about 75% (w/w), based upon the total weight of the combined therapeutic agent and surface modifier.

36. (Previously Presented) The method of claim 35, wherein the surface modifier is present at an amount of from about 20% to about 60% (w/w), based upon the total weight of the combined therapeutic agent and surface modifier.

37. (Previously Presented) The method of claim 28, wherein the therapeutic agent is selected from the group consisting of analgesics, anti-inflammatory agents, anthelmintics,

anti-arrhythmic agents, antibiotics, anticoagulants, antidepressants, antidiabetic agents, antiepileptics, antihistamines, antihypertensive agents, antimuscarinic agents, antimycobacterial agents, antineoplastic agents, immunosuppressants, antithyroid agents, antiviral agents, anxiolytic sedatives, astringents, beta-adrenoceptor blocking agents, blood products and substitutes, cardiac inotropic agents, corticosteroids, cough suppressants, diuretics, dopaminergics, haemostatics, immunological agents, lipid regulating agents, muscle relaxants, parasympathomimetics, parathyroid calcitonin and biphosphonates, prostaglandins, radio-pharmaceuticals, sex hormones, anti-allergic agents, stimulants, anorectics, sympathomimetics, thyroid agents, vasodilators, and xanthines.

38. (Previously Presented) The method of claim 28, wherein the therapeutic agent is beclomethasone dipropionate.

39. (Currently Amended) The method of claim 28, wherein the therapeutic agent is present in the [liquid] **aqueous** medium at an amount of from about 0.1% to about 60% (w/w), based on the total weight of the therapeutic agent and surface modifier.

40. (Currently Amended) The method of claim 39, wherein the therapeutic agent is present in the [liquid] **aqueous** medium at an amount of from about 5% to about 30% (w/w), based on the total weight of the therapeutic agent and surface modifier.

41. (Cancelled)

42. (Previously Presented) The method of claim 28, wherein a jet nebulizer is used to form the aerosol.

43. (Previously Presented) The method of claim 28, wherein an ultrasonic nebulizer is used to form the aerosol.

44. (Previously Presented) The method of claim 28, wherein a respiratory illness is treated, which is selected from the group consisting of asthma, emphysema, respiratory distress syndrome, chronic bronchitis, cystic fibrosis, acquired immune deficiency syndrome (AIDS), and AIDS-related pneumonia.

45. (Previously Presented) The method of claim 28, wherein the aerosol further comprises a liquid propellant.

Claim 46. (Cancelled)

47. (New) The method of claim 28, wherein the crystalline particles of a poorly soluble therapeutic agent have an average particle size of less than about 1000 nm.

48. (New) The method of claim 28, wherein at least 90% of the crystalline particles of a poorly soluble therapeutic agent have a particle size of less than about 1000 nm.

49. (New) The method of claim 28, wherein at least 95% of the crystalline particles of a poorly soluble therapeutic agent have a particle size of less than about 1000 nm.

50. (New) The method of claim 28, wherein at least 99% of the crystalline particles of a poorly soluble therapeutic agent have a particle size of less than about 1000 nm.

51. (New) The method of claim 28, wherein at least 90% of the crystalline particles of a poorly soluble therapeutic agent have a particle size of less than about 400 nm.

52. (New) The method of claim 28, wherein at least 95% of the crystalline particles of a poorly soluble therapeutic agent have a particle size of less than about 400 nm.

53. (New) The method of claim 28, wherein at least 99% of the crystalline particles of a poorly soluble therapeutic agent have a particle size of less than about 400 nm.

54. (New) The method of claim 28, wherein at least 90% of the crystalline particles of a poorly soluble therapeutic agent have a particle size of less than about 300 nm.

55. (New) The method of claim 28, wherein at least 95% of the crystalline particles of a poorly soluble therapeutic agent have a particle size of less than about 300 nm.

56. (New) The method of claim 28, wherein at least 99% of the crystalline particles of a poorly soluble therapeutic agent have a particle size of less than about 300 nm.

57. (New) The method of claim 28, wherein at least 90% of the crystalline particles of a poorly soluble therapeutic agent have a particle size of less than about 100 nm.

58. (New) The method of claim 28, wherein at least 95% of the crystalline particles of a poorly soluble therapeutic agent have a particle size of less than about 100 nm.

59. (New) The method of claim 28, wherein at least 99% of the crystalline particles of a poorly soluble therapeutic agent have a particle size of less than about 100 nm.